

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
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Southern District of New York  
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January 30, 2023

**BY ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application GRANTED. The conference is hereby ADJOURNED to March 16, 2023, at 3:00 p.m. No further adjournments will be granted absent extreme circumstances. Time is excluded in the interests of justice from January 30, 2023, until March 16, 2023, for the reasons set forth in defense counsel's letter. The Clerk of Court is directed to terminate Doc. #15. SO ORDERED.

**RE: United States v. Gustavo Chavez  
22 Cr. 303 (JMF)**



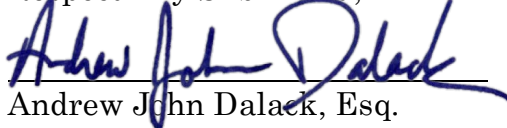
January 30, 2023

Dear Judge Furman:

I write on behalf of the parties to provide a status update in the above-captioned case, and to request a 45-day adjournment of the conference scheduled for January 31, 2023.

Since the last status update, the defense has made progress towards putting together a mitigation letter for the consideration of the U.S. Attorney's Office in the hopes of resolving Mr. Chavez's case through an immigration-safe disposition. Specifically, the defense has retained a psychological expert to evaluate Mr. Chavez, and the defense is awaiting the expert's report, which we will incorporate into our broader submission. Mr. Chavez remains in compliance with the terms of his pre-trial supervision and is also receiving mental health treatment through Pre-Trial Services. Accordingly, the defense submits that an adjournment of the status conference is appropriate. The Government consents to this application. The parties also agree that this additional time should be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A), as the interests of the public and Mr. Chavez in a speedy trial are outweighed by the need to advance productive plea negotiations through a thorough mitigation submission.

Respectfully Submitted,



Andrew John Dalack, Esq.

Counsel for Gustavo Chavez

Cc: AUSA Andrew Jones